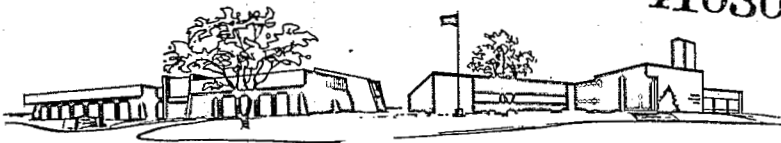


8/5/74

ZENITH AVE. SOUTH OF
W. 54TH STREET



4103065

City of Edina

4801 WEST FIFTIETH STREET • EDINA, MINNESOTA 55424

927-8861

RESOLUTION VACATING A PORTION OF
ZENITH AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a hearing to be held on August 5, 1974, at 7:00 p.m., on the proposed vacation herein described has been given and made and a hearing has been held thereon by the City Council:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of Zenith Avenue, all as platted and of record in the office of the Register of deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective as of this 19th day of August, 1974:

All that part of Zenith Avenue between the South line of W. 54th Street and a line parallel with and 120 feet South of the South line of W. 54th Street.

ADOPTED this 5th day of August, 1974.

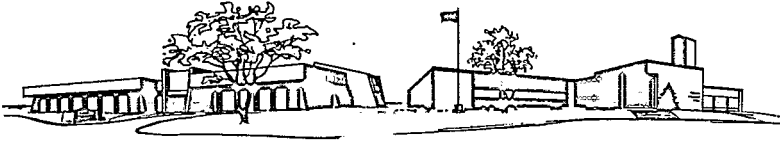
STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina City Council at its regular meeting of August 5, 1974, and as recorded in the minutes of said regular meeting.

WITNESS my hand and seal of said City this 20th day of August, 1974.

Therese B. Hallberg
City Clerk



City of Edina

4801 WEST FIFTIETH STREET • EDINA, MINNESOTA 55424

927-8861

RESOLUTION VACATING A PORTION OF
ZENITH AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a hearing to be held on August 5, 1974, at 7:00 p.m., on the proposed vacation herein described has been given and made and a hearing has been held thereon by the City Council:

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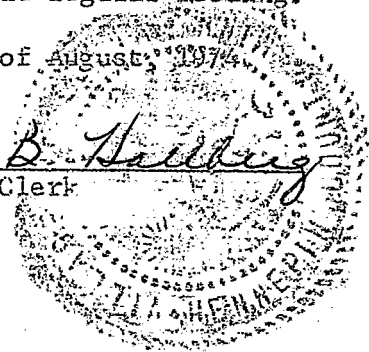
STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina City Council at its regular meeting of August 5, 1974, and as recorded in the minutes of said regular meeting.

WITNESS my hand and seal of said City this 20th day of August, 1974.

Therese B. Hallberg
City Clerk



1/1/74

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS.
CITY OF EDINA)

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date July 19, 1974, acting on behalf of said City I deposited in the United States mail copies of the attached

Notice of Public Hearing - Street Vacation - Portion of Zenith Ave.

(Exhibit A), enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office; said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of a date 14 days days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

<u>Name</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

WITNESS my hand and the seal of said City this 19th
day of July, 19 74.

Therese B. Hallberg
Edina City Clerk

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON
STREET VACATION OF
A PORTION OF ZENITH AVENUE S.

EDINA CITY COUNCIL will meet Monday, August 5, 1974, at 7:00 p.m. in the Edina City Hall and will, at said time and place consider the vacation proposed for the following street:

Zenith Avenue from W. 54th Street to the westerly extension of the North line of Lot 28, Block 3, Seely's First Addition to Knechtorn Park.

All objections and recommendations will be heard at said meeting.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

July 19, 1974

Notice of Public Hearing - Aug 5, 1974
 Genith Ave. Street Vacation
 Mailing List

Deely's 1st Addn to Hawthorne Park
 Bl 2 L 30 Geo. F. Speakes - 5408 York Ave So.
 29 "
 28 "
 27 "
 { 24 James R. Linden - 5410 York
 25

24 City of Edina
 23
 22
 21
 20
 19 "
 18
 17
 16

Bl 3 30
 29
 28 "

White Investment Company's Heides Valley
 Bl 3 Parcel 2200 - Pl. 77920 S. L. Griebel - 3300 W. 55th
 Detlot A - Parcel 5010 Margaret & Thiel 3301 W. 54th
 Plat 77920 Laszlo J. Fulop - 2901 W. 40th St
 " B City of Edina
 " C

N. S. P. - N. W. Bell - Mpls. Gas Co.

Street Vacation

Westerly extension of the
Zenith Ave From W 34th St. to the North line of
lot 28 Block 3 Seely's First Add'n. to Hawthorne Park

By R.L.O.
OK [Signature]

Laszlo and Sue Fulop
2901 West 40th Street
Minneapolis, Minnesota
926-0412
June 12, 1974

City Planning Office
Edina Village Office
4801 West 50th Street
Edina, Minnesota 55424

Attention: Greg Luce

Dear Mr. Luce:

Confirming our conversation of June 11, we request the following to be considered by the Edina City Council:

1. Vacating portion of Zenith Avenue South described as follows: extending from the north property lines of property abutting to the south side of West 54th Street, southward 120 feet in a width of 30 feet.

Zenith Avenue has not been extended south of 54th street across Minnehaha Creek and it appears unlikely that such extension would ever take place.

Vacation of such portion of Zenith Avenue South has been discussed with Mr. George F. Speakes, owner of properties east of Zenith Avenue and he is in agreement with this proposal.

We have no intention of erecting any structure on said vacated portion of Zenith Avenue South.

2. Declaring Lot "A", "White Investment Company's Hidden Valley" etc. as a "buildable lot" which is presently dedicated as "outlot."

Thank you for your cooperation and consideration.

Sincerely,



Sue and Laszlo Fulop

B-68-17 Henry Buchwald. S.W. Corner 54th Street and Zenith Avenue.
Side and Front Yard Setbacks and Lot Width Variances.

5-16-68 Bua
Affidavits of Publication in the Edina Sun on May 2, 1968 and of Mailing Notice May 3, 1968, were submitted, approved and ordered placed on file.

Mr. Hoisington reported that Dr. Buchwald is proposing to build a house at the corner of 54th Street and Zenith Avenue. The parcel is substantial in size, but has only 49.8 feet of frontage on West 54th Street. It drops severely five feet from 54th Street and is a difficult one upon which to build. The house to the west is at street level and will be higher in elevation than Dr. Buchwald's proposed home. The garage is the only portion of the house that will encroach onto the required front setback.

He also reported that there is some ownership difficulty involved, however, the Buchwald's have done all that is necessary to purchase the land. This problem should be taken care of within the next few weeks.

Mr. Hoisington stated that Zenith Avenue has never been extended south from West 54th Street and it is unlikely that such extension will ever occur. Any southward extension would require a substantial amount of fill, a bridge over the Creek and probably Creek realignment. Street vacation has been discussed with the owner of the property to the east of Zenith Avenue and he is in agreement with such proposal. The vacation would add 30 feet to Dr. Buchwald's property and would therefore eliminate the need for lot width and street side yard variances.

The staff recommends approval of the six foot front yard and five foot interior side yard variances subject to the vacation of Zenith Avenue and the working out of ownership difficulties, with the condition that Dr. Buchwald not build on the Zenith Avenue right-of-way after vacation.

May 16, 1968

Mrs. Hoffman, 3301 West 54th Street, stated that she is in favor of the proposal as well as the vacation of Zenith Avenue.

Mr. Nugent moved that the Board approve of the front yard and interior side yard variances which would permit the structure to be built to within 24 feet of the front property line and to within five feet of the westerly interior property line. His motion to grant these variances was contingent upon (1) the vacation of Zenith Avenue between West 54th and 55th Streets; (2) the successful purchase of the land by Dr. Buchwald, and (3) any building to be built on the site must not encroach into vacated Zenith Avenue. He made the motion for the following reasons:

1. The hardship in this case is topography and the strict application of the ordinance would make the development of the site highly impractical. Without the front yard variance, it would be extremely costly and practically impossible to achieve vehicular access to the site due to the severe topography.
2. Such variances are necessary to the preservation of a substantial property right held by others in the same vicinity but which would be denied to the owner of this property. Without variances, the right to build a house would be denied.
3. Severe topography on this site represents an exceptional circumstance which is not applicable to other properties in the same vicinity or zone.
4. The granting of variances would not be detrimental or injurious to other properties in the area. Regarding the side yard variance, the proponents house will be considerably lower in elevation than the house to the west and thus, there will be a substantially greater distance between these structures than the horizontal distance might suggest.

Mr. Rixe seconded the motion. Motion Carried.

300-5015-18 MICROFILM
MINNEAPOLIS, MINN.
201 CITY HALL

5-7-8 L. HALL

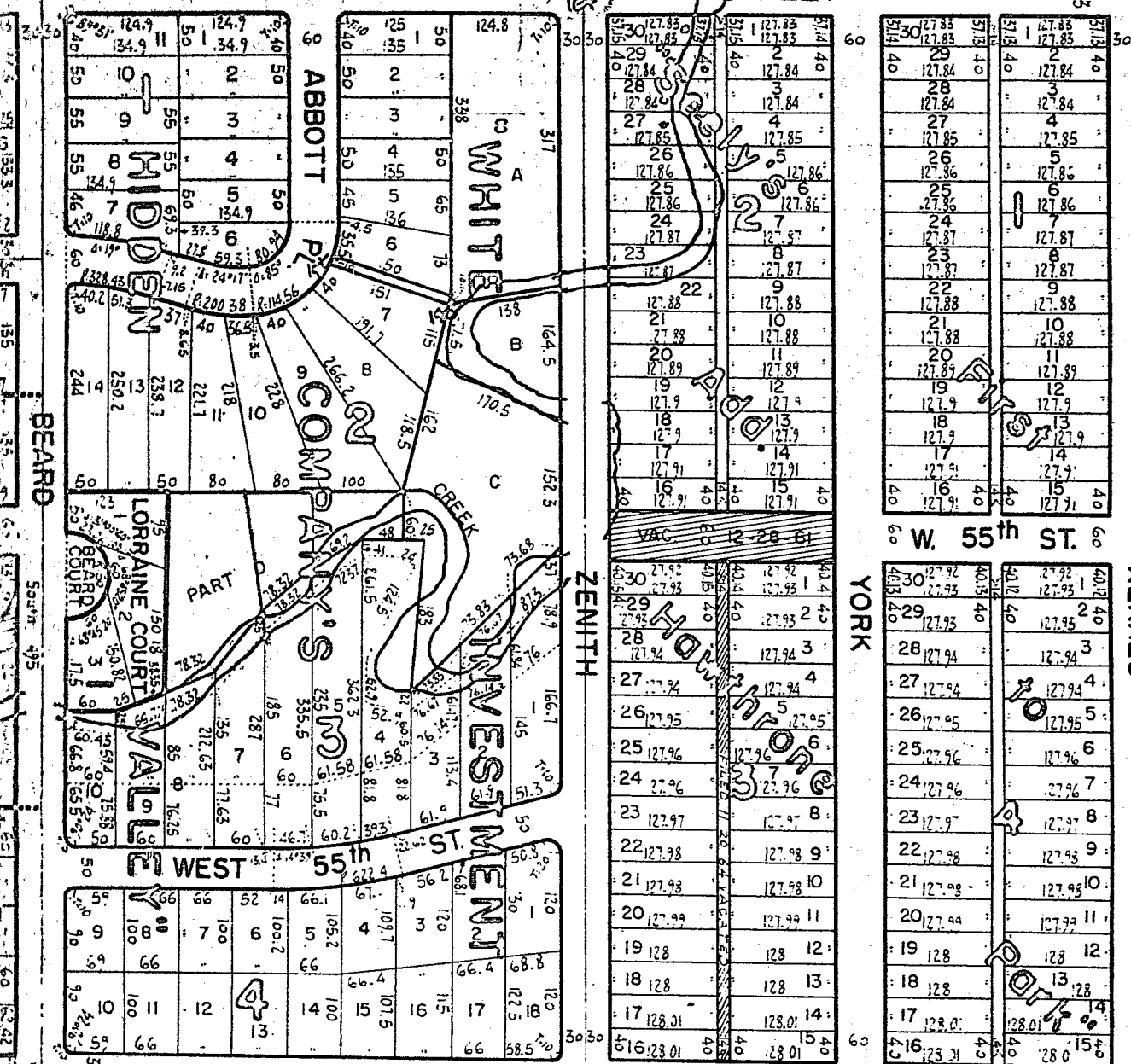
MINNEAPOLIS

36.68 Res.

54th

STREET

City Con. Mon.



36.68 Res.

36.68 Res.

36.68 Res.

~~Lady~~

Largo Tulop

2901 W. 40th St

55410

Thu 28 only

Florence -

Bob Obermeyer
said the city
needs a sanitary
sewer easement
through this.

L.

7-18

8/5 Easement not rec.
since only a portion
located per Bob O -
JO



Northwestern Bell

5532 County Road 18 South
Hopkins, Minnesota 55343
July 25, 1974


Mrs. Florence B. Hallberg
City Clerk
City of Edina
4801 W. 50th Street
Edina, Minnesota 55424

Re: Street Vacation Zenith Ave. So.

Dear Mrs. Hallberg:

The Northwestern Bell Telephone Company has no objection to the vacating of Zenith Avenue South from West 54th Street to the westerly extension of the north line of lot 28, block 3, Seely's First Addition to Hawthorne Park.

Sincerely,



District Engineer

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON
STREET VACATION OF
A PORTION OF ZENITH AVENUE S.

EDINA CITY COUNCIL will meet Monday, August 5, 1974, at 7:00 p.m. in the Edina City Hall and will, at said time and place consider the vacation proposed for the following street:

Zenith Avenue from W. 54th Street to the westerly extension of the North line of lot 28, Block 3, Seely's First Addition to Kneethorne, Park.

All objections and recommendations will be heard at said meeting.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

July 19, 1974

7-22-74
Minneapolis has no mains in this street
and does not object to its vacation

Warner P. Blake

PETITION TO VACATE STREET

TO THE HONORABLE COUNCIL OF THE CITY OF EDINA

DATED June 12, 1974

The undersigned represent that they are the majority of owners of real property abutting on the line of Zenith Avenue South on north property lines street from south side of 54th street southward to 120 ft. in width of 30 ft., and petition that said portion of said street be vacated. The facts and reasons for this application are as follows: unused

In consideration of vacating the street as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said street.

SIGNATURE OF OWNERS

ADDRESS

DESCRIPTION OF PROPERTY

Shirley E. Fuls
Wanda Fuls

2701 W. 40 St.
" "

Lot "A", White Investment
Company's "Hidden Valley"

George F. Speck

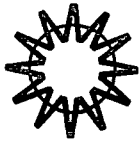
5408 York Ave. So

Lot 27, 28, 29, 30

My approval is for the west one half of
Zenith Ave. So. I wish the east one half
to remain as is.

Block 2

See Lys 1st Addn
to Hawthorne Park



SUN NEWSPAPERS
AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the publisher of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed Notice of Public Hearing hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for two successive weeks;

that it was first so published on Thurs the 18 day of July, 19 74

and was thereafter printed and published on every Thursday to and including

Thurs the 25 day of July, 19 74 and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz
abcdefghijklmnopqrstuvwxyz

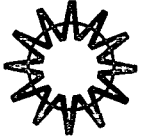
Subscribed and sworn to before me this 25 day of July, 19 74

(Notarial Seal)

G. M. Vest, Notary Public, Hennepin County, Minn.
My Commission Expires April 18th, 1979.

(Official Publication)
CITY OF EDINA
4801 W. 50th STREET
EDINA, MINNESOTA 55421
NOTICE OF PUBLIC HEARING
ON STREET VACATION OF
A PORTION OF ZENITH AVENUE S.
EDINA CITY COUNCIL will meet
Monday, August 5, 1974, at 7:00 p.m. in
the Edina City Hall and will, at said time
and place consider the vacation proposed
for the following street:
Zenith Avenue from W. 54th Street to
the Westerly extension of the North
line of Lot 28, Block 3, Seely's First
Addition to Hawthorne Park.
All objections and recommendations
will be heard at said meeting.
BY ORDER OF THE EDINA CITY
COUNCIL.
FLORENCE B. HALLBERG
City Clerk
(July 18, 25, 1974)—ED.

(Official Publication)
CITY OF EDINA
4801 W. 50th STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON STREET VACATION OF
A PORTION OF ZENITH AVENUE S.
EDINA CITY COUNCIL will meet
Monday, August 5, 1974, at 7:00 p.m. in
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will be heard at said meeting.
BY ORDER OF THE EDINA CITY
COUNCIL.
FLORENCE B. HALLBERG
City Clerk
(July 18, 25, 1974)—ED.



SUN NEWSPAPERS

AFFIDAVIT OF PUBLICATION

EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } ss.

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that it was first so published on Thurs the 18 day of July, 19 74

and was thereafter printed and published on every Thursday to and including

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abcdefghijklmnopqrstuvwxyz
abcdefghijklmnopqrstuvwxyz



Subscribed and sworn to before me this 25 day of July, 19 74

(Notarial Seal)



G. M. Vest, Notary Public, Hennepin County, Minn.
My Commission Expires April 18th, 1979.

(Official Publication)
CITY OF EDINA
4801 W. 50th STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
ON STREET VACATION OF
A PORTION OF ZENITH AVENUE S.
EDINA CITY COUNCIL will meet
Monday, August 5, 1974, at 7:00 p.m. in
the Edina City Hall and will, at said time
and place consider the vacation proposed
for the following street:
Zenith Avenue from W. 54th Street to
the Westerly extension of the North
line of Lot 28, Block 3, Seely's First
Addition to Hawthorne Park.
All objections and recommendations
will be heard at said meeting.
BY ORDER OF THE EDINA CITY
COUNCIL.
FLORENCE B. HALLBERG
City Clerk
(July 18, 25, 1974)—ED.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF
POSTING NOTICE

I, the undersigned duly appointed and acting Police Patrolman for the City of Edina, County of Hennepin, State of Minnesota, do hereby certify that I have, this date, posted copies of the attached and foregoing _____

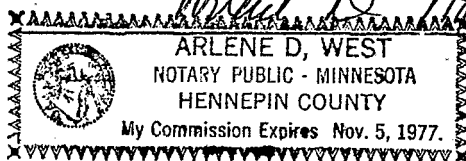
Notice of Public Hearing - Street Vacation
on three official City Bulletin Boards, as follows: 1. City Hall,
4801 W. 50th Street 2.. 50th and France Business Area (3922 W. 50th St.)
3. Amundson Avenue Shopping Center.

Dated 07-18-74

Signed

Thomas W. Jensen
Police Patrolman

Signed and sworn to before me, a Notary Public
in and for Hennepin County, Minnesota, this, the
18 day of July, 1974.



CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON
STREET VACATION OF
A PORTION OF ZENITH AVENUE S.

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All objections and recommendations will be heard at said meeting.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

RESOLUTION VACATING A PORTION OF
ZENITH AVENUE

WHEREAS, two weeks' published, posted and mailed notice of a hearing to be held on August 5, 1974, at 7:00 p.m., on the proposed vacation herein described has been given and made and a hearing has been held thereon by the City Council:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of Zenith Avenue, all as platted and of record in the office of the Register of deeds in and for Hennepin County, Minnesota, be and is hereby vacated effective as of this 19th day of August, 1974:

All that part of Zenith Avenue between the South line of W. 54th Street and a line parallel with and 120 feet South of the South line of W. 54th Street.

ADOPTED this 5th day of August, 1974.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina City Council at its regular meeting of August 5, 1974, and as recorded in the minutes of said regular meeting.

WITNESS my hand and seal of said City this 20th day of August, 1974.

City Clerk

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON
STREET VACATION OF
A PORTION OF ZENITH AVENUE S.

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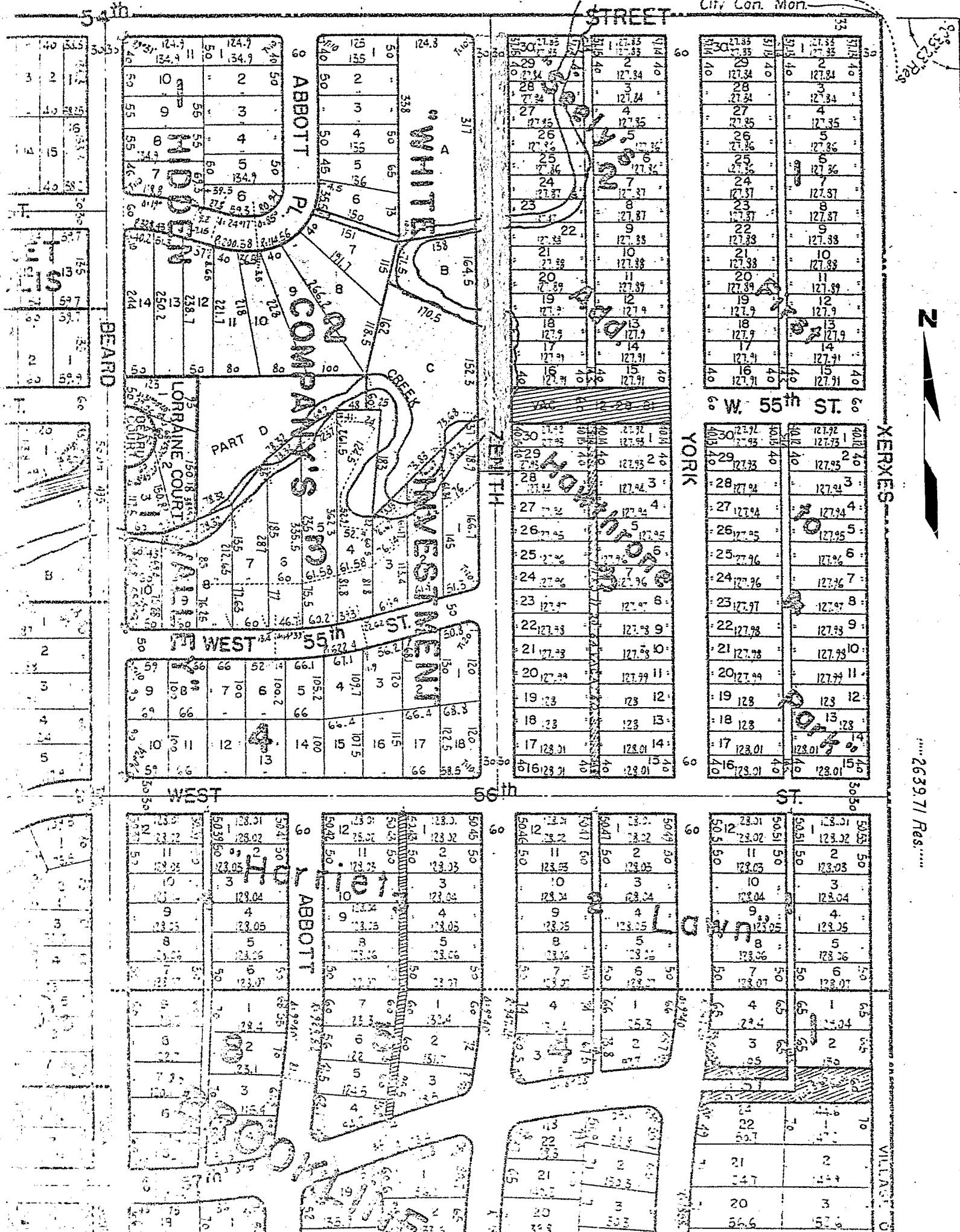
Zenith Avenue from W. 54th Street to the westerly extension of the North line of Lot 20, Block 3, Seely's First Addition to Hawthorne Park.

All objections and recommendations will be heard at said meeting.

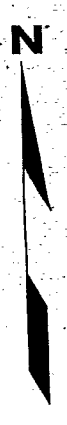
BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

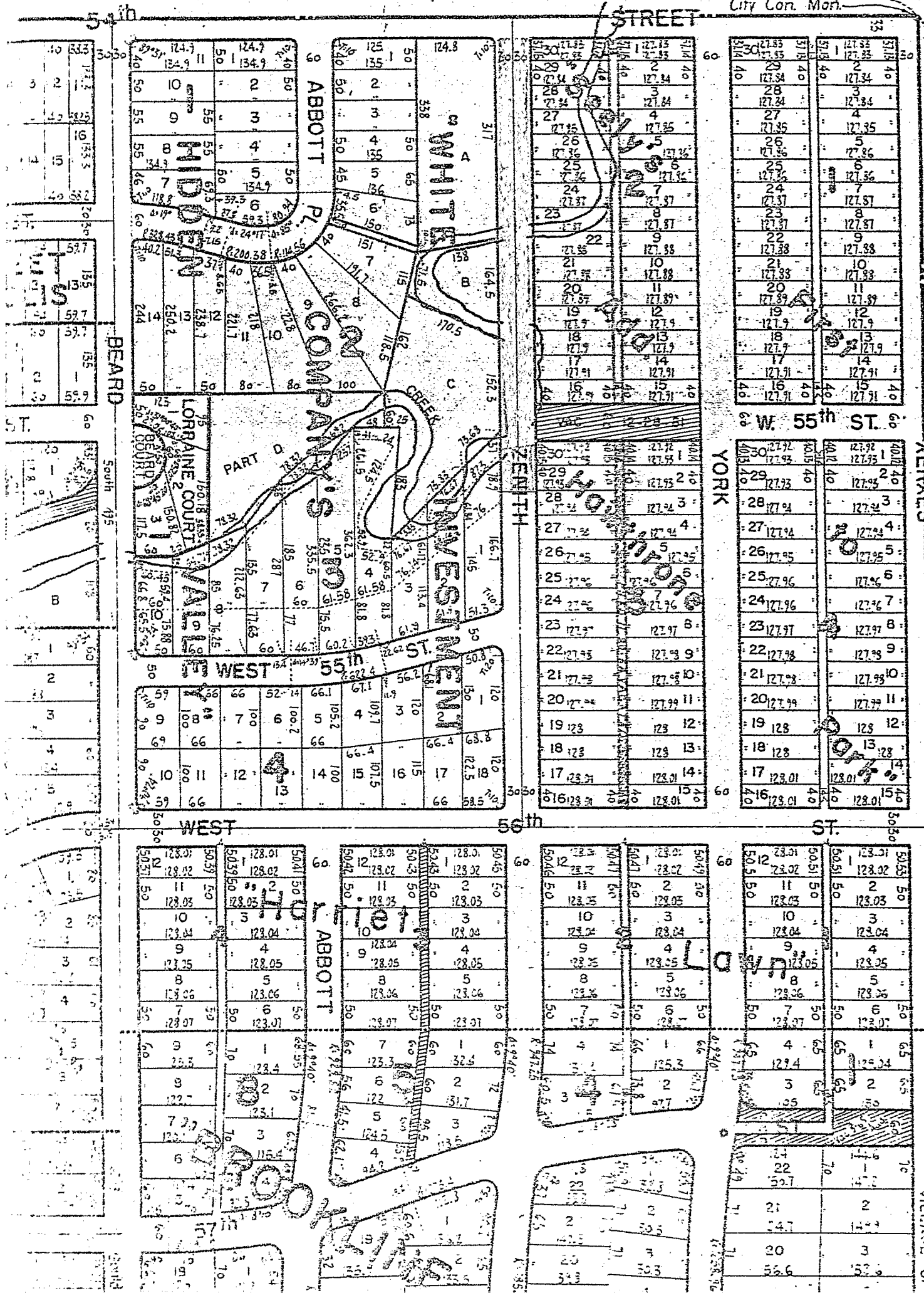
July 19, 1974



2639.63 Res



2639.71 Res



XERXES

VILLAGE OF

(Official Publication)

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING ON
STREET VACATION OF
A PORTION OF ZENITH AVENUE S.

EDINA CITY COUNCIL will meet Monday, August 5, 1974, at 7:00 p.m. in the Edina City Hall and will, at said time and place consider the vacation proposed for the following street:

Zenith Avenue from W. 54th Street to the westerly extension of the North Line of Lot 28, Block 3, Early's First Addition to Knuthorne Park.

All objections and recommendations will be heard at said meeting.

BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Kallberg
City Clerk

Please publish in the Edina Sun on July 18, 1974, and July 25, 1974.
Please send us two Affidavits of Publication.

August 20, 1974

Mr. Thomas S. Erickson
2400 First National Bank Bldg.
Minneapolis, MN 55402

Dear Tom:

Enclosed herewith are two copies of the resolution vacating a portion of Zenith Avenue which was adopted by the Council on August 5, 1974.

Will you please see that this document is filed?

Yours very truly,

City Clerk

enclosure

(Official Publication)

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

The West one-half of Zenith Avenue lying South of a line 153 feet South of and parallel to the central line of West 54th Street and Northerly of the Easterly extension of the Southerly line of Lot A, White Investment Company's Hidden Valley, Hennepin County, Minnesota.

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall in the City, 4801 W. 50th Street, on July 11, 1977, at 7:00 p.m. for the purpose of holding a public hearing on the proposed vacation of the following street:

The West one-half of Zenith Avenue lying South of a line 153 feet South of and parallel to the central line of West 54th Street and Northerly of the Easterly extension of the Southerly line of Lot A, White Investment Company's Hidden Valley, Hennepin County, Minnesota

All persons who desire to be heard with respect to the question of whether or not the above proposed street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed street vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Florence B. Hallberg
City Clerk

Please publish in the Edina Sun on June 22, ~~22~~ June 29, 1977.
Please send us Two Affidavits of Publication.

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
ON STREET VACATION IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA

The West one-half of Zenith Avenue lying South of a line 153 feet South of and parallel to the central line of West 54th Street and Northerly of the Easterly extension of the Southerly line of Lot A, White Investment Company's Hidden Valley, Hennepin County, Minnesota.

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall in the City, 4801 W. 50th Street, on July 11, 1977, at 7:00 p.m. for the purpose of holding a public hearing on the proposed vacation of the following street:

The West one-half of Zenith Avenue lying South of a line 153 feet South of and parallel to the central line of West 54th Street and Northerly of the Easterly extension of the Southerly line of Lot A, White Investment Company's Hidden Valley, Hennepin County, Minnesota

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BY ORDER OF THE EDINA CITY COUNCIL

Florence B. Hallberg
City Clerk

June 24, 1977

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

NOTICE OF PUBLIC HEARING
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Florence B. Hallberg
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June 24, 1977

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4801 W. 50TH STREET
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Florence B. Hallberg
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June, 24, 1977